

**ACT TO AMEND THE PENAL LAW REGARDING EXTORTION, ENVIRONMENTAL CRIME, AND ILLICIT TRAFFICKING IN HUMAN BEINGS AND MIGRANT SMUGGLING, 2012**

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:

**SECTION 1:** The short title of this Act shall be the "Extortion, Environmental Crime, and Illicit Trafficking in Human Beings and Migrant Smuggling Act

**SECTION 2:** Chapter 14 Offenses Involving Danger to the Person, Subchapter B Assaults, Endangering Behaviour and Threats of the Penal Law, Title 26 of the Liberian Code of Laws Revised is hereby amended to add Section 14.30 Extortion, and Section 14.31 Environmental Crimes which sections shall read as follows:

**CHAPTER 14. OFFENSES INVOLVING DANGER TO THE PERSON**

**SUBCHAPTER B. ASSAULTS, ENDANGERING BEHAVIOUR AND THREATS**

**§14.30. Extortion**

*1. Offense.* A person is guilty of extortion if he or she obtains property from another, with his or her consent, or obtains an official act of a public officer, induced by a wrongful use of force or fear, or under color of official right or extorts any money, right or property from another by means of fear, force, or any threat. Fear, such as will constitute extortion, may be induced by a threat:

(a) to do an unlawful injury to the person or property of the individual threatened, or of a third person; or

(b) to accuse the individual threatened, or any relative of his, or member of his family, of any crime; or

(c) to expose, or to impute to him or them any deformity, disgrace or crime; or

(d) to expose any secret affecting him or them.



2. *Grading.* The offense of extortion shall be punishable as a first degree felony.

**§14.31. Environmental Crime.**

1. *Offense.* Notwithstanding remedies under the Public Health Law or regulations, any person who violates such law or regulations prohibiting specified nuisances, sanitation in housing and structures, water pollution control, adulterated foods and beverages and other environmental laws may also be held guilty of an environmental crime. Notwithstanding the Environmental Protection Law, the Petroleum Law, the Natural Resources Law, the National Forestry Reform Law and regulations thereunder, or any other environment related law or regulation, a person is guilty of an environmental crime, also a predicate offense to money laundering and terrorist financing, who:

- (a) releases, dumps, or disposes of radioactive wastes, wastes containing pathogen of contagious diseases, and toxic materials, pesticides or other dangerous or hazardous wastes into land, water, and the atmosphere causing major environment pollution accidents, heavy losses to public and private property, or grave consequences of personal deaths and injuries;
- (b) dumps, stores or processes solid waste within Liberia causing damages to public or private properties and or seriously endanger people's health;
- (c) catches aquatic products in forbidden areas or forbidden periods or use tools and methods in violation of regulations;
- (d) illegally hunts and kills rare and endangered wild animals or illegally purchase, transport or sell those rare and endangered wild animals and their manufactured products;
- (e) illegally occupies farmland for other uses in violation of land administrative law and regulations and cause damage to tracts of farmland;
- (f) engages in mining operation without first obtaining a mining permit, or wantonly enter and operate in state mining areas which are important to the national economy or mining areas of other persons, or wantonly excavates special minerals protected by the state, or continues mining operations and cause damage to mineral resources after receiving a notice to stop such operation;
- (e) use destructive mining methods to tap mineral resources and have caused serious damages to mineral resources;
- (f) engage in illegal logging resulting in damage to valuable trees; or
- (g) illegally purchases timber from illegal or wanton logging, or minerals from illegal or wanton mining.



2. *Grading.* The offense of environmental crime shall be punishable as a first or second degree felony depending on the gravity of the crime.

**SECTION 3:** The Trafficking in Persons Act of July 25, 2005 is hereby amended. Chapter 14 Offenses Involving Danger to the Person, Subchapter C Kidnapping and Related Offenses of the Penal Law, Title 26 of the Liberian Code of Laws Revised is also hereby amended to add Section 14.55 Illicit Trafficking in Human Beings and Migrant Smuggling, to read as follows:

## **Chapter 14. OFFENSES INVOLVING DANGER TO THE PERSON**

### **Subchapter C. KIDNAPPING AND RELATED OFFENSES**

#### **§14.55. Illicit Trafficking in Human Beings and Migrant Smuggling**

*1. Offense.* A person is guilty of the offense of trafficking in human beings and migrant smuggling, also a predicate offense to money laundering and terrorist financing, who:

(a) recruits, transports, transfers, facilitates the transfer or travel of, or receives another person by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of abuse of power or of a position of vulnerability, or giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation of that person; or

(b) carries on a transaction regarding a person for one of the following purposes or in so acting places the person in danger of one of the following:

(i.) removing an organ from the person's body;

(ii.) taking away of a child at birth;

(ii.) subjecting the person to slavery;

(iv) subjecting the person to forced labor;

(v.) instigating the person to commit an act of prostitution

(vi.) instigating the person to take part in an obscene publication or obscene display;

or

(vii.) committing a sexual offense against the person.



2. *Persons using services of trafficked persons.* Anyone who makes use of the services or labor of a person or profits in any form from the services or labor of a person with the prior knowledge that such labor or services are performed or rendered under one or more of the conditions in subsection 1 of this section shall be guilty of the offense of trafficking in persons.

2. *Non-liability of victims of trafficking in persons.* Trafficked persons shall not be detained, charged, or prosecuted for the illegality of their entry into or residence in Liberia as the country of transit or destination or for their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as trafficked persons.

3. *Grading.* Trafficking in persons and migrant smuggling shall be punishable as a first degree felony.

**SECTION 4:** This Act shall take effect immediately upon publication in Handbills by the Ministry of Foreign Affairs.

**ANY LAW TO THE CONTRARY NOTWITHSTANDING**

**2012**

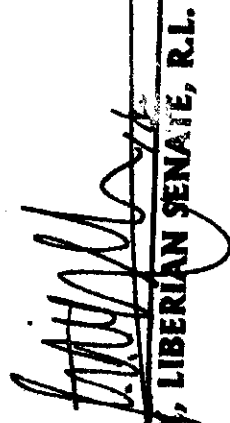
**SECOND SESSION OF THE FIFTY-THIRD  
LEGISLATURE OF THE REPUBLIC OF LIBERIA**

SENATE'S ENGROSSED BILL NO. 26 ENTITLED:

**"AN ACT TO AMEND THE PENAL LAW REGARDING  
EXTORTION, ENVIRONMENTAL CRIME, AND  
ILLICIT TRAFFICKING IN HUMAN BEINGS AND  
MIGRANT SMUGGLING, 2012"**

On motion, Bill read. On motion, the Bill was adopted on its first reading and sent to Committee Room on Tuesday, September 4, 2012 @ 11:05 G.M.T.

On motion, Bill taken from the Committee Room for its second reading. On motion, under the suspension of the rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Thursday, September 6, 2012 @ 11:49 G.M.T.

  
**SECRETARY, LIBERIAN SENATE, R.L.**

**2013**

**SECOND SESSION OF THE FIFTY-THIRD  
LEGISLATURE OF THE REPUBLIC OF LIBERIA**

HOUSE'S ENDORSEMENT TO SENATE'S ENGROSSED  
BILL NO. 26 ENTITLED:

**"AN ACT TO AMEND THE PENAL LAW REGARDING  
EXTORTION, ENVIRONMENTAL CRIME, AND  
ILLICIT TRAFFICKING IN HUMAN BEINGS AND  
MIGRANT SMUGGLING, 2012"**

On motion, Bill read. On motion, the Bill was adopted on its first reading and sent to Committee Room on Thursday, April 18, 2013 @ 14:35 G.M.T.

On motion, Bill taken from the Committee Room for its second reading. On motion, under the suspension of the rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Thursday, April 23, 2013 @ 12:15 G.M.T.

  
**CHIEF CLERK, HOUSE OF REPRESENTATIVES R.L.**

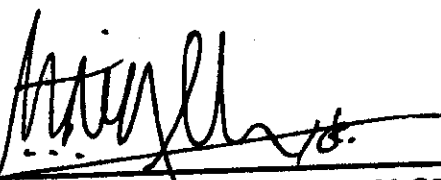


2013

**ATTESTATION**

**"AN ACT TO AMEND THE PENAL LAW REGARDING EXTORTION,  
ENVIRONMENTAL CRIME, AND ILLICIT TRAFFICKING IN HUMAN BEINGS  
AND MIGRANT SMUGGLING, 2012"**

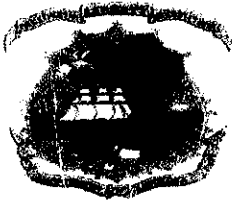
  
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VICE PRESIDENT OF THE REPUBLIC OF LIBERIA/PRESIDENT OF THE SENATE

  
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THE SECRETARY, LIBERIAN SENATE

  
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THE SPEAKER, HOUSE OF REPRESENTATIVES

  
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THE CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.





THE SECRETARY OF THE SENATE



# The Liberian Senate

CAPITOL BUILDING, CAPITOL HILL, MONROVIA, LIBERIA  
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## 2013

### SECOND SESSION OF THE FIFTY-THIRD LEGISLATURE OF THE REPUBLIC OF LIBERIA.

SCHEDULE OF SENATE'S ENROLLED BILL NO. 5 ENTITLED:

**"AN ACT TO AMEND THE PENAL LAW REGARDING EXTORTION,  
ENVIRONMENTAL CRIME, AND ILLICIT TRAFFICKING IN HUMAN BEINGS  
AND MIGRANT SMUGGLING, 2012"**

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR  
EXECUTIVE APPROVAL.

APPROVED THIS 29<sup>th</sup> DAY OF April A.D. 2013

AT THE HOUR OF 5:00 P.M.

**THE PRESIDENT OF THE REPUBLIC OF LIBERIA**

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